

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION**

**UNITED STATES OF AMERICA,**

**VS.**

**CRIMINAL ACTION NO. 3:07CR158-P-A**

**RANDY ROY,**

**DEFENDANT.**

**CONTINUANCE**

This matter comes before the court upon Defendant's second Motion for Continuance [20].

After due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for March 4, 2008. Defense counsel requests a continuance in order to allow additional time to review discovery, file pretrial motions, and to meet with his client.

The Government has no objection to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(8)(A), the period of delay from March 4, 2008 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford the defendant's counsel more time to adequately prepare for his client's defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

**IT IS THEREFORE ORDERED AND ADJUDGED** that:

- (1) Defendant's Motion for Continuance [20] is **GRANTED**;
- (2) Trial of this matter is continued until Monday, April 28, 2008 at 9:00 a.m. in the United States Courthouse in Greenville, Mississippi;
- (3) The delay from March 4, 2008 to April 28, 2008 is excluded from Speedy Trial Act

considerations as set out above;

(4) The deadline for filing pretrial motions is April 7, 2008; and

(5) The deadline for submitting a plea agreement is April 14, 2008.

**SO ORDERED** this the 22<sup>nd</sup> day of February, A.D., 2008.

/s/ W. Allen Pepper, Jr. \_\_\_\_\_  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE